

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JESUS MOJICA,

Petitioner,

-against-

FEDERAL BUREAU OF PRISONS, et al.,

Respondents.

22-CV-5526 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated June 30, 2022, the Court directed Petitioner, within thirty days, to submit a completed request to proceed *in forma pauperis* (“IFP”) application or pay the \$5.00 fee required to file a petition for a writ of *habeas corpus* in this Court. That order specified that failure to comply would result in dismissal of the petition.

On July 18, 2022, the order was returned as undeliverable to the address Petitioner had provided with his petition.<sup>1</sup> Petitioner has not complied with the Court’s order and has failed to notify the Court of a change of mailing address. Accordingly, Petitioner’s petition is denied without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

**CONCLUSION**

The petition is denied without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

Because the petition makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue under 28 U.S.C. § 2253.

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<sup>1</sup> Because the “inmate locator” feature of the Federal Bureau of Prisons’ website indicated that Petitioner was in custody at MDC Brooklyn, on July 20, 2022, the Clerk’s Office resent the order to Petitioner at that facility. On August 11, 2022, however, that mailing was also returned with a notation that Petitioner was no longer at that facility.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to issue judgment in this case.

SO ORDERED.

Dated: August 19, 2022  
New York, New York

/s/ Laura Taylor Swain

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LAURA TAYLOR SWAIN  
Chief United States District Judge